



STATE OF WISCONSIN Assembly Journal

Ninety-Fifth Regular Session

MONDAY, January 14, 2002

The Chief Clerk makes the following entries under the above date:

AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 414** offered by Representative Musser.

Assembly amendment 2 to **Assembly Bill 490** offered by Representative Petrowski.

Assembly amendment 2 to **Assembly Bill 494** offered by committee on **Urban and Local Affairs**.

Assembly amendment 4 to Assembly substitute amendment 1 to **Assembly Bill 621** offered by Representative Friske.

Assembly substitute amendment 2 to **Assembly Bill 621** offered by committee on **Personal Privacy**.

Assembly amendment 1 to **Assembly Bill 627** offered by Representative Friske.

Assembly amendment 2 to Assembly substitute amendment 1 to **Assembly Bill 682** offered by Representatives Gundrum and Travis.

Assembly substitute amendment 1 to **Assembly Joint Resolution 51** offered by committee on **Rural Affairs and Forestry**.

Assembly amendment 1 to **Senate Bill 250** offered by Representatives Underheim and Shilling.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 01-115

Relating to commercial fishing in Lake Superior and Lake Michigan.

Submitted by Department of Natural Resources.

Report received from Agency, January 9, 2002.

To committee on **Natural Resources**.

Referred on January 14, 2002.

Assembly Clearinghouse Rule 01-126

Relating to mobile home park permit fees.

Submitted by Department of Commerce.
Report received from Agency, January 8, 2002.

To committee on **Housing**.

Referred on January 14, 2002.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 81

Relating to: the distribution of state funds to public school districts (first consideration).

By Representatives Krug, Sherman, Richards, Plouff, Turner, Cullen, Sinicki, Ryba, Bock, Boyle, Ainsworth, Riley, Carpenter and Berceau; cosponsored by Senators Plache and Decker.

To committee on **Education**.

Assembly Bill 713

Relating to: time limits for the prosecution of 2nd-degree intentional homicide and 2nd-degree reckless homicide.

By Representatives Kedzie, Schooff, Jeskewitz, Ryba, Olsen, Pettis, Hines, Vrakas and Nass; cosponsored by Senators Robson, Darling, Burke, Roessler and Rosenzweig.

To committee on **Criminal Justice**.

Assembly Bill 714

Relating to: invasion of privacy and providing a penalty.

By Representatives Meyerhofer, McCormick, Ladwig, Gronemus, Jeskewitz, Pettis, Hines, Lassa, Ryba and Albers; cosponsored by Senators Roessler, Burke, A. Lasee and Darling.

To committee on **Judiciary**.

Assembly Bill 715

Relating to: medical use of marijuana, requiring the exercise of rule-making authority, and providing a penalty.

By Representatives Boyle, Pocan, Skindrud, Sherman, Schneider, Berceau, Gronemus, Carpenter, Miller and Plouff.

To committee on **Criminal Justice**.

Assembly Bill 716

Relating to: prohibiting charter schools, and private schools that participate in the Milwaukee parental choice program, from discriminating against pupils, and requiring such schools to disclose certain information.

By Representatives Sinicki, Schneider, Cullen, Pocan, J. Lehman, Richards, Young, Plouff, Bock, Miller, Turner, Hebl, Morris–Tatum and Shilling; cosponsored by Senators Decker and Burke.

To committee on **Education Reform**.

Assembly Bill 717

Relating to: providing priority for long–term support community options program services to certain disabled victims of sexual assault or domestic abuse.

By Representatives Sinicki, Musser, J. Lehman, Bock, Plouff, Turner, Berceau, Lippert, Balow, Montgomery, Shilling and Miller; cosponsored by Senators Burke and Grobschmidt.

To committee on **Aging and Long–Term Care**.

Assembly Bill 718

Relating to: regulating fishing tournaments, granting rule–making authority, and providing penalties.

By Representatives Johnsrud, Shilling, Ott, Krawczyk, J. Lehman, Hines, Freese, Albers, Hahn and Petrowski; cosponsored by Senator M. Meyer.

To committee on **Natural Resources**.

Assembly Bill 719

Relating to: using a computer to facilitate having sexual contact or sexual intercourse with a person believed to be a child and providing a penalty.

By Representatives Huber, Kaufert, Ainsworth, Albers, Bock, Cogg, Freese, Grothman, Hines, Huebsch, Jeskewitz, Kestell, Kreuser, Ladwig, La Fave, Lassa, Miller, Musser, Olsen, Petrowski, Plouff, Ryba, Schneider, Shilling, Stone, Sykora, Turner, Urban, Vrakas, Wasserman and Friske; cosponsored by Senators Baumgart, Huelsman, Hansen, Rosenzweig, Decker, Roessler, Schultz, Darling and Harsdorf.

To committee on **Criminal Justice**.

Assembly Bill 720

Relating to: providing coverage for domestic partners under health care coverage plans and long–term care insurance policies offered by the group insurance board.

By Representatives Pocan, Boyle, Carpenter, Berceau, Black, Bock, Colon, J. Lehman, Miller, Richards, Sinicki, Travis and Young; cosponsored by Senators Risser, Burke and George.

To committee on **Insurance**.

Assembly Bill 721

Relating to: domestic partnership.

By Representatives Boyle, Pocan, Carpenter, Berceau, Black, Bock, Miller, Richards, Riley, Travis and Young; cosponsored by Senators Risser and George.

To committee on **Family Law**.

Assembly Bill 722

Relating to: management and performance evaluation audits of large programs and large agencies by the legislative audit bureau.

By Representatives Lassa, Olsen, Nass, Loeffelholz, Krawczyk, M. Lehman, Musser, Ladwig, Starzyk, Jeskewitz,

Sykora, Bock, Berceau, Shilling, Miller and Hines; cosponsored by Senators Shibilski, Burke, Hansen, Darling and Welch.

To committee on **Government Operations**.

Assembly Bill 723

Relating to: recording and filing documents with the offices of register of deeds and the department of financial institutions.

By Representatives F. Lasee, Starzyk, Seratti, Hines, D. Meyer, Pettis, Olsen, Ladwig, M. Lehman, Freese, Krawczyk, Vrakas, Hahn, Ott, Powers, McCormick, J. Lehman, Lassa, Albers and Plouff; cosponsored by Senators Plache, Roessler, Hansen and Wirch.

To committee on **Financial Institutions**.

Assembly Bill 724

Relating to: requiring a hospital to provide to an alleged victim of sexual assault, with consent, information and emergency contraception and providing a penalty.

By Representatives Pocan, Krug, La Fave, Boyle, Berceau, Black, Sinicki, Colon, Plouff, Carpenter, J. Lehman, Miller, Shilling and Richards; cosponsored by Senators Risser, Moore and Plache.

To committee on **Health**.

Assembly Bill 725

Relating to: the practice of nurse–midwifery, providing an exemption from emergency rule procedures, and granting rule–making authority.

By Representatives Underheim, Krawczyk, Lippert, Miller, Olsen, Bies, Skindrud, Owens, Townsend and Albers; cosponsored by Senators Robson, Moen, Moore, Roessler, Rosenzweig and Wirch.

To committee on **Health**.

COMMITTEE REPORTS

The committee on **Campaigns and Elections** reports and recommends:

Assembly Bill 682

Relating to: official action in return for providing or withholding political contributions, services, or other things of value and providing a penalty.

Assembly amendment 1 to Assembly substitute amendment 1 adoption:

Ayes: 6 – Representatives Freese, Ladwig, Stone, J. Fitzgerald, Travis and Pocan.

Noes: 0.

Assembly substitute amendment 1 adoption:

Ayes: 6 – Representatives Freese, Ladwig, Stone, J. Fitzgerald, Travis and Pocan.

Noes: 0.

Passage as amended:

Ayes: 6 – Representatives Freese, Ladwig, Stone, J. Fitzgerald, Travis and Pocan.

Noes: 0.

To committee on **Rules**.

STEPHEN FREESE
Chairperson
Committee on Campaigns and Elections

The committee on **Education** reports and recommends:

Assembly Bill 383

Relating to: the Wisconsin School for the Deaf and creating a deaf and hard-of-hearing education council.

Assembly amendment 1 adoption:

Ayes: 14 – Representatives Olsen, Nass, Hahn, Hundertmark, Kestell, Loeffelholz, Rhoades, Townsend, Hines, J. Lehman, Ziegelbauer, Sinicki, Williams and Riley.
Noes: 0.

Passage as amended:

Ayes: 14 – Representatives Olsen, Nass, Hahn, Hundertmark, Kestell, Loeffelholz, Rhoades, Townsend, Hines, J. Lehman, Ziegelbauer, Sinicki, Williams and Riley.
Noes: 0.

To committee on **Rules**.

Assembly Bill 428

Relating to: creating an individual income tax deduction for classroom teachers who use their own funds to purchase classroom educational supplies.

Passage:

Ayes: 13 – Representatives Olsen, Nass, Hahn, Hundertmark, Kestell, Loeffelholz, Rhoades, Townsend, Hines, J. Lehman, Sinicki, Williams and Riley.
Noes: 1 – Representative Ziegelbauer.

Assembly Bill 500

Relating to: dispositional orders for truancy or habitual truancy and the disclosure of juvenile records by a juvenile court or a municipal court.

Passage:

Ayes: 14 – Representatives Olsen, Nass, Hahn, Hundertmark, Kestell, Loeffelholz, Rhoades, Townsend, Hines, J. Lehman, Ziegelbauer, Sinicki, Williams and Riley.
Noes: 0.

To committee on **Rules**.

Assembly Bill 504

Relating to: granting high school diplomas to veterans.

Assembly substitute amendment 1 adoption:

Ayes: 14 – Representatives Olsen, Nass, Hahn, Hundertmark, Kestell, Loeffelholz, Rhoades, Townsend, Hines, J. Lehman, Ziegelbauer, Sinicki, Williams and Riley.
Noes: 0.

Passage as amended:

Ayes: 14 – Representatives Olsen, Nass, Hahn, Hundertmark, Kestell, Loeffelholz, Rhoades, Townsend, Hines, J. Lehman, Ziegelbauer, Sinicki, Williams and Riley.
Noes: 0.

To committee on **Rules**.

Senate Bill 118

Relating to: the procedures for changing the number of school board members, for establishing a plan of apportionment of school board members, and for providing election to numbered seats on a school board.

Concurrence:

Ayes: 14 – Representatives Olsen, Nass, Hahn, Hundertmark, Kestell, Loeffelholz, Rhoades, Townsend, Hines, J. Lehman, Ziegelbauer, Sinicki, Williams and Riley.
Noes: 0.

To committee on **Rules**.

Senate Bill 178

Relating to: administering drugs to pupils in compliance with instructions of practitioners.

Concurrence:

Ayes: 14 – Representatives Olsen, Nass, Hahn, Hundertmark, Kestell, Loeffelholz, Rhoades, Townsend, Hines, J. Lehman, Ziegelbauer, Sinicki, Williams and Riley.
Noes: 0.

To committee on **Rules**.

LUTHER OLSEN
Chairperson
Committee on Education

The committee on **Government Operations** reports and recommends:

Assembly Bill 642

Relating to: authorizing the Wisconsin Health and Educational Facilities Authority to issue bonds to finance a project undertaken for a facility used for education by a private, tax-exempt institution.

Passage:

Ayes: 4 – Representatives Wieckert, Loeffelholz, Starzyk and Steinbrink.
Noes: 0.

To committee on **Rules**.

STEVE WIECKERT
Chairperson
Committee on Government Operations

The committee on **Health** reports and recommends:

Assembly Bill 120

Relating to: expanding medical assistance income eligibility requirements for elderly persons; requiring

pharmacies and pharmacists, as a condition of medical assistance participation, to charge elderly, low-income persons for prescription drugs no more than specific amounts; specifying requirements for rebate agreements between the department of health and family services and drug manufacturers; limiting prior authorization requirements under medical assistance; requiring the exercise of rule-making authority; making appropriations; and providing penalties.

Passage:

Ayes: 12 – Representatives Underheim, Urban, Johnsrud, Krawczyk, F. Lasee, Lippert, Olsen, Seratti, Walker, Wieckert, Wasserman and Shilling.

Noes: 4 – Representatives Carpenter, La Fave, Miller and Colon.

To joint committee on **Finance**.

GREGG UNDERHEIM
Chairperson
Committee on Health

The committee on **Natural Resources** reports and recommends:

Assembly Bill 551

Relating to: maximum allowable grants under the private sewage system replacement or rehabilitation grant program.

Passage:

Ayes: 11 – Representatives Johnsrud, Gunderson, Kedzie, Krawczyk, D. Meyer, Ott, Pettis, Powers, Gronemus, J. Lehman and Steinbrink.

Noes: 0.

To committee on **Rules**.

Assembly Bill 659

Relating to: the removal of fishing shanties or similar shelters.

Passage:

Ayes: 10 – Representatives Johnsrud, Gunderson, Kedzie, Krawczyk, D. Meyer, Ott, Pettis, Powers, Gronemus and Steinbrink.

Noes: 1 – Representative J. Lehman.

To committee on **Rules**.

DUWAYNE JOHNSRUD
Chairperson
Committee on Natural Resources

The committee on **Personal Privacy** reports and recommends:

Assembly Bill 592

Relating to: an exception to confidentiality requirements for treatment records.

Assembly substitute amendment 1 adoption:

Ayes: 8 – Representatives Powers, Montgomery, Nass, Owens, Friske, Sinicki, Shilling and Schneider.

Noes: 0.

Passage as amended:

Ayes: 8 – Representatives Powers, Montgomery, Nass, Owens, Friske, Sinicki, Shilling and Schneider.

Noes: 0.

To committee on **Rules**.

MICHAEL POWERS
Chairperson
Committee on Personal Privacy

The committee on **Rural Affairs and Forestry** reports and recommends:

Assembly Bill 600

Relating to: sales of damaged timber by the department of natural resources and from county forest lands.

Passage:

Ayes: 6 – Representatives Ainsworth, Friske, Loeffelholz, Sykora, Gronemus and Schneider.

Noes: 0.

To committee on **Rules**.

Assembly Joint Resolution 51

Relating to: memorializing the U.S. Congress to provide funding for research on recycled lumber by the Forest Products Laboratory of the U.S. Department of Agriculture Forest Service.

Assembly substitute amendment 1 adoption:

Ayes: 7 – Representatives Ainsworth, Friske, Freese, Loeffelholz, Sykora, Gronemus and Schneider.

Noes: 0.

Adoption as amended:

Ayes: 7 – Representatives Ainsworth, Friske, Freese, Loeffelholz, Sykora, Gronemus and Schneider.

Noes: 0.

To committee on **Rules**.

JOHN AINSWORTH
Chairperson
Committee on Rural Affairs and Forestry

The committee on **Small Business and Consumer Affairs** reports and recommends:

Assembly Bill 362

Relating to: the possession and sale of fireworks, enforcement by the state traffic patrol of restrictions on the possession and use of fireworks, and limiting seizure of certain fireworks for law enforcement purposes.

Assembly amendment 1 adoption:

Ayes: 10 – Representatives Seratti, Krawczyk, Friske, Gundrum, Kestell, D. Meyer, Skindrud, J. Lehman, Schneider and Krusick.

Noes: 0.

Passage as amended:

Ayes: 6 – Representatives Seratti, Krawczyk, Friske, Gundrum, Kestell and Skindrud.

Noes: 4 – Representatives D. Meyer, J. Lehman, Schneider and Krusick.

To committee on **Rules**.

Assembly Bill 376

Relating to: funeral establishment permits.

Passage:

Ayes: 10 – Representatives Seratti, Krawczyk, Friske, Gundrum, Kestell, D. Meyer, Skindrud, J. Lehman, Schneider and Krusick.

Noes: 0.

To committee on **Rules**.

LORRAINE SERATTI

Chairperson
Committee on Small Business and
Consumer Affairs

The committee on **State and Local Finance (Select)** reports and recommends:

Assembly Bill 664

Relating to: the eligibility for expenditure restraint shared revenue payments.

Passage:

Ayes: 7 – Representatives Underheim, Musser, Leibham, McCormick, Schooff, Ziegelbauer and Carpenter.

Noes: 0.

To committee on **Rules**.

GREGG UNDERHEIM

Chairperson
Committee on State and Local Finance
(Select)

The committee on **Tourism and Recreation** reports and recommends:

Assembly Bill 665

Relating to: allowing certain school buses to tow trailers.

Assembly substitute amendment 1 adoption:

Ayes: 8 – Representatives Skindrud, D. Meyer, Bies, Seratti, Pettis, Hines, Ryba and Steinbrink.

Noes: 0.

Passage as amended:

Ayes: 8 – Representatives Skindrud, D. Meyer, Bies, Seratti, Pettis, Hines, Ryba and Steinbrink.

Noes: 0.

To committee on **Rules**.

Assembly Bill 668

Relating to: safety training for all-terrain vehicle and motorboat operation.

Assembly amendment 1 adoption:

Ayes: 7 – Representatives Skindrud, D. Meyer, Bies, Seratti, Pettis, Hines and Steinbrink.

Noes: 0.

Passage as amended:

Ayes: 8 – Representatives Skindrud, D. Meyer, Bies, Seratti, Pettis, Hines, Ryba and Steinbrink.

Noes: 0.

To committee on **Rules**.

RICK SKINDRUD

Chairperson
Committee on Tourism and Recreation

The committee on **Urban and Local Affairs** reports and recommends:

Assembly Bill 412

Relating to: petition requirements for the creation of a town sanitary district.

Passage:

Ayes: 6 – Representatives Gunderson, Starzyk, D. Meyer, Musser, Wasserman and Berceau.

Noes: 0.

To committee on **Rules**.

Assembly Bill 494

Relating to: limiting the authority of cities and villages to annex territory.

Assembly amendment 1 adoption:

Ayes: 6 – Representatives Gunderson, Starzyk, D. Meyer, Musser, Wasserman and Berceau.

Noes: 0.

Assembly amendment 2 adoption:

Ayes: 6 – Representatives Gunderson, Starzyk, D. Meyer, Musser, Wasserman and Berceau.

Noes: 0.

Passage as amended:

Ayes: 4 – Representatives Gunderson, Starzyk, D. Meyer and Musser.

Noes: 2 – Representatives Wasserman and Berceau.

To committee on **Rules**.

Assembly Bill 552

Relating to: regional emergency response team requirements.

Passage:

Ayes: 6 – Representatives Gunderson, Starzyk, D. Meyer, Musser, Wasserman and Berceau.

Noes: 0.

To committee on **Rules**.

Assembly Bill 626

Relating to: membership on landfill and hazardous waste facility negotiating committees.

Passage:

Ayes: 6 – Representatives Gunderson, Starzyk, D. Meyer, Musser, Wasserman and Berceau.

Noes: 0.

To committee on **Rules**.

SCOTT GUNDERSON
Chairperson
Committee on Urban and Local Affairs

The joint committee for **Review of Administrative Rules** reports and recommends:

Assembly Clearinghouse Rule 00–154

Relating to deer hunting and the wildlife damage abatement and claims program.

Modifications requested in that part of the Clearinghouse Rule that creates a four-day December antlerless only deer hunting season for the 2002, 2003 and 2004 season:

Ayes: 10 – Representatives Grothman, Seratti, Gunderson, Turner and Hebl; Senators Robson, Grobschmidt, Hansen, Cowles and Welch.

Noes: 0.

Concurrence in the objection to that part of the Clearinghouse Rule that sets the day in October for the start of the four-day antlerless deer season, allowing the use of bows and guns, in a special deer herd control hunt:

Ayes: 10 – Representatives Grothman, Seratti, Gunderson, Turner and Hebl; Senators Robson, Grobschmidt, Hansen Cowles and Welch.

Noes: 0.

Modifications requested in that part of the Clearinghouse Rule that authorizes a four-day early bow season immediately prior to the nine-day gun season:

Ayes: 10 – Representatives Grothman, Seratti, Gunderson, Turner and Hebl; Senators Robson, Grobschmidt, Hansen Cowles and Welch.

Noes: 0.

Concurrence in the objection to that part of the Clearinghouse Rule that allows gun license deer to be registered only in the unit where the deer was killed or an adjoining unit:

Ayes: 7 – Representatives Grothman, Seratti, Gunderson and Turner; Senators Grobschmidt, Hansen and Welch.

Noes: 3 – Representative Hebl; Senators Robson and Cowles.

GLENN GROTHMAN
Assembly Chairperson
Joint committee for Review of
Administrative Rules

COMMUNICATIONS

January 10, 2002

John Scocos, Chief Clerk
Wisconsin State Assembly
Room 402, 1 East Main Street
Madison, WI

Dear John:

Please remove my name from co-sponsorship of Assembly Bill 678, which requires that milk be made available wherever soft drinks are sold in schools. I have also asked Chief Clerk Don Schneider to remove my name from co-sponsorship of the Senate companion bill, Senate Bill 339.

Thank you.

Sincerely,
REPRESENTATIVE JOHN LEHMAN
62nd Assembly District

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Department of Revenue
Madison

January 8, 2002

To the Honorable, the Legislature:

I am submitting the quarterly report of the Wisconsin Lottery for the quarter ending December 31, 2001. As required by § 565.37 (3), Wis. Stats., the attached materials contain unaudited Wisconsin Lottery year to date Sales and Expenditure information.

The summary information reported here is not intended to be a complete financial accounting of the Wisconsin Lottery Fund.

If you have any questions or comments regarding this report, please feel free to contact me at (608) 266-6466.

Sincerely,
RICHARD G. CHANDLER
Secretary

Referred to committee on **State Affairs**.